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13 Attorneys for Defendant
14 CHUNGHWA PICTURE TUBES, LTD.

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 HEWLETT-PACKARD COMPANY,
19 Plaintiff,

20 v.

21 CHUNGHWA PICTURE TUBES, LTD.,
22 TATUNG COMPANY OF AMERICA, INC.,
23 Defendants.

Master File NO.: 3:07-MD-1827-SI
Case No. 3:12-cv-06085

**STIPULATION RE: CONTINUING
HEARING FOR MOTION TO DISMISS
[Dkt. 7660]; AND ~~[PROPOSED]~~ ORDER**

Date: May 31, 2013
Time: 9:00 a.m.
Courtroom: 10, 19th Floor
Judge: The Honorable Susan Illston

RECITALS

WHEREAS, on November 30, 2012, Plaintiff Hewlett-Packard Company ("HP") filed a Complaint for Damages against Chunghwa Picture Tubes ("CPT"), et al., Docket No. 1, Case No. 3:12-cv-06085-SI, alleging a Violation of the Sherman Act, 15 U.S. C. § 1 and a Violation of the Texas Free Enterprise and Antitrust Act of 1983, Tex. Bus. & Com. Code §§ 15.01 et seq.,

WHEREAS, on March 20, 2013, Defendant CPT filed a Motion to Dismiss (Dkt. 7760, Case 3:07-MD-1827) pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, requesting an Order from this court dismissing all claims alleged against CPT in the Complaint filed by HP. CPT'S Motion to Dismiss is scheduled to be heard on May 31, 2013 at 9:00 a.m, in Courtroom 10, 19th Floor San Francisco, California before the Honorable Susan Illston, Judge of the U.S. District Court, Northern District of California.

WHEREAS, on May 28, 2013, Defendant Tatung Company of America, Inc. ("TUS") also filed a Motion to Dismiss (Dkt. 8017, Case 3:07-MD-1827) pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, requesting an Order from this court dismissing all claims alleged against TUS in the Complaint filed by HP. TUS's Motion to Dismiss is scheduled to be heard on August 9, 2013 at 9:00 a.m., in Courtroom 10, 19th Floor San Francisco, California before the Honorable Susan Illston, Judge of the U.S. District Court, Northern District of California.

WHEREAS, CPT's Motion to Dismiss and TUS's Motion to Dismiss address similar arguments and questions of law, the hearing of both of which on the same day would conserve judicial and party resources.

WHEREAS the requested modification to the hearing date will not affect any other deadlines in the case.

STIPULATION

Plaintiff HP and Defendant CPT, through their respective attorneys of record, hereby stipulate that the hearing presently scheduled for May 31, 2013 for CPT's Motion to Dismiss (Dkt. 7760, Case 3:07-MD-1827), shall be continued to August 9, 2013 at 9:00 a.m.

///

1 DATED: JUNE 11, 2013

FARMER BROWNSTEIN JAEGER LLP

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3 By: /s/ William S. Farmer

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Attorneys for Defendant
CHUNGWA PICTURE TUBES, LTD.

12 DATED: JUNE 11, 2013

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13
14 By: /s/ Lester Houtz

15 Fred Bartlit, Jr.
16 Mark E. Ferguson
17 Karma Giulianelli
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21 Gregory D. Call
22 Beatrice B. Nguyen
23 Suzanne E. Rode

Attorneys for Plaintiff
Hewlett-Packard Company

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25 **ATTESTATION:** Pursuant to General Order 45, Part X-B, the filer attests that concurrence
26 in the filing of this document has been obtained from each of the signatories.

27 Dated: June 11, 2013

/s/ David Brownstein

[PROPOSED] ORDER

Pursuant to the foregoing stipulation and good cause appearing that the hearing on the Motion to Dismiss of Chunghwa Picture Tubes, Ltd. (Dkt. ~~7760~~⁷⁶⁶⁰, Case 3:07-MD-1827) presently scheduled June 21 for ~~May 31~~, 2013, shall be continued to August 9, 2013 at 9:00 a.m.

IT IS SO ORDERED.

Dated: June 11, 2013



The Honorable Susan Illston
U.S. District Judge